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Attorneys for Defendants
American Qualified Plans, Inc.; Todd Henry; and Gordon Storjohann.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DKS ASSOCIATES, a California Corporation;
DKS ASSOCIATES EMPLOYEE STOCK
OWNERSHIP PLAN AND TRUST,

Plaintiffs,

v.

AMERICAN QUALIFIED PLANS, INC.;
TODD HENRY; GORDON STORJOHANN;
and DOES 1-50, Inclusive,

Defendants.

CASE NO. C 10-01187 JCS

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE**

JUDGE: Honorable Joseph C. Spero

1 Plaintiffs DKS Associates and DKS Associates Employee Stock Ownership Plan and
2 Trust, and defendants American Qualified Plans, Inc., Todd Henry, and Gordon Storjohann,
3 through their counsel of record herein, hereby STIPULATE and AGREE as follows:

4 1. On March 22, 2010, this Court issued an Order Setting Initial Case Management
5 Conference and ADR Deadlines. (Doc. No. 4.) The Initial Case Management Conference is set
6 for July 16, 2010, at 1:30 p.m. This Court further ordered the parties to meet and confer, and file
7 a Joint Case Management Statement and exchange initial disclosures on or before July 9, 2010.

8 2. On June 25, 2010, the parties filed a Stipulation and [Proposed] Order selecting
9 private mediation. (Doc. No. 19.) The parties requested 120 days from the date of the Order to
10 complete mediation. The parties also requested a stay on all litigation pending mediation and a
11 continuance of all scheduled dates by 150 days.

12 3. The parties desire to devote themselves and their limited funds to an attempt to
13 resolve this matter through negotiation and private mediation and, therefore, respectfully request
14 that this Court continue the dates to make initial disclosures, to file the joint report, and the initial
15 case management conference, for approximately 120 days such that the parties will be required to
16 file the joint report, and make initial disclosures, on or before October 1, 2010, and the case
17 management conference will be continued to October 15, 2010. The parties also request that all
18 discovery and other litigation be stayed until October 1, 2010.

19 Therefore, the parties STIPULATE, AGREE, AND RESPECTFULLY REQUEST that
20 this Court continue dates for the joint report to be filed, and initial disclosures made, to October
21 1, 2010, continue the case management conference to October 15, 2010, and stay all discovery
22 and other litigation until October 1, 2010.

1 SO STIPULATED, AGREED, AND RESPECTFULLY REQUESTED:

2
3 DATED: July 8, 2010

JOHANSON BERENSON LLP

4
5 By: 

6 David R. Johanson
7 Bradley J. Taylor
8 Attorneys for Plaintiff
9 DKS Associates

10
11 DATED: July 8, 2010

STEIKER, FISCHER, EDWARDS & GREENAPPLE, P.C.

12 By: 

13 Margaret P. Steere
14 Attorneys for Plaintiff
15 DKS Associates Employee Stock Ownership Plan and Trust

16
17 DATED: July 6, 2010

SEDGWICK, DETERT, MORAN & ARNOLD LLP

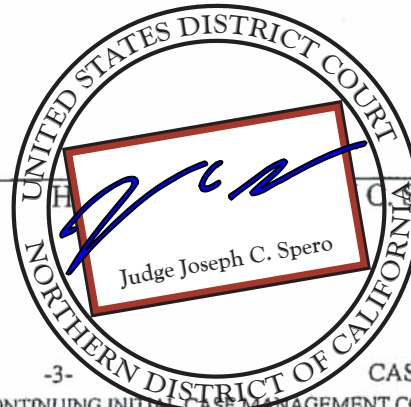
18 By: 

19 Dennis G. Rolstad
20 Attorneys for Defendants
21 American Qualified Plans, Inc.; Todd Henry; and Gordon
22 Storjohann

23 **ORDER**

24 IT IS SO ORDERED the joint report is to be filed, and initial disclosures made, by
25 October 1, 2010, that the Initial Case Management Conference is continued from July 16, 2010,
26 to October 15, 2010, at 1:30 p.m., and all discovery and other litigation is stayed until October 1,
27 2010.

28 DATED: July 9, 2010



C. SPERO